

1 RANDOLPH L. HOWARD, ESQ.
Nevada Bar No. 006688
2 SHLOMO S. SHERMAN, ESQ.
Nevada Bar No. 009688
3 **KOLESAR & LEATHAM**
4 400 South Rampart Boulevard, Suite 400
Las Vegas, Nevada 89145
Telephone: (702) 362-7800
5 Facsimile: (702) 362-9472
E-Mail: rhoward@klnevada.com
ssherman@klnevada.com

7 Attorneys for Plaintiff
PLAZA BANK

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 * * *

11 PLAZA BANK, a California Corporation,

CASE NO. 2:11-cv-00130-MMD -RJJ

12 Plaintiff,

13 vs.

14 ALAN GREEN FAMILY TRUST, a Nevada
trust, ALAN GREEN, an individual,

15 Defendants.

17 **ORDER AND JUDGMENT**

18 This Court, having previously entered an order on July 26, 2011 granting Plaintiff's cause
19 of action for constructive fraudulent conveyance under NRS § 112.190 with respect to the cash
20 sale of the 1608 Coyote Road property on December 16, 2010 (Docket No. 21); having further
21 entered an order on December 7, 2011, dismissing the Defendants' counterclaims without leave
22 to amend, and confirming that summary judgment on Plaintiff's remaining causes of action for
23 fraudulent transfer of the 2122 Golf Links Drive property and the 2201 Resort Way property
24 were denied, such claims to be preserved for trial (Docket No. 42); having further entered an
25 order on March 8, 2012, approving the parties' stipulation with respect to the fair market value of
26 the real property securing Plaintiff's loan to Defendant Alan Green Family Trust (Docket No.
27 60); having further entered an order October 1, 2012 granting Plaintiff's motion for summary
28 judgment with respect to the causes of action in its Complaint for breach of contract and for a

KOLESAR & LEATHAM
400 South Rampart Boulevard, Suite 400
Las Vegas, Nevada 89145
Tel: (702) 362-7800 / Fax: (702) 362-9472

1 deficiency judgment (Docket No. 75), and having further granted Plaintiff's motion for summary
2 judgment with respect to Defendant Alan Green's personal liability as the transferee of the
3 \$215,000 in cash proceeds from the sale of the 1608 Coyote Road property on December 16,
4 2010; and for good cause appearing therefore:

5 IT IS HEREBY ORDERED, AJUDGED AND DECREED AS FOLLOWS:

6 1. Plaintiff, having prevailed against Defendant Judgment Alan Green Family Trust
7 on both its breach of contract/deficiency claims, as well as on its fraudulent transfer claim with
8 respect to the cash proceeds from the sale of the 1608 Coyote Road property, is entitled to
9 judgment and judgment is hereby entered against Defendant ALAN GREEN FAMILY TRUST,
10 jointly and severally, in the principal amount of **\$281,890.56** as of July 5, 2011; plus pre-
11 judgment interest accruing from and after July 6, 2011, at the default rate of 11% set forth in the
12 Loan Documents; plus post-judgment interest accruing at the default rate of 11% set forth in the
13 Loan Documents until paid in full; and

14 2. Judgment is hereby against Defendant ALAN GREEN, jointly and severally, as
15 the transferee of the fraudulent transfer of the cash proceeds from the sale of the Coyote Road
16 property, in the principal amount of **\$215,000.00**, plus pre- and post-judgment interest accruing
17 at the legal rate set forth in N.R.S. § 17.130(2).

18
19
20 IT IS SO ORDERED.
21
22

23
24
25
26
27
28

UNITED STATES DISTRICT JUDGE

Dated: December 26, 2012